

110TH CONGRESS
1ST SESSION

S. 2516

To assist members of the Armed Forces in obtaining United States citizenship, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 18, 2007

Ms. MIKULSKI (for herself and Mr. KENNEDY) introduced the following bill;
which was read twice and referred to the Committee on the Judiciary

A BILL

To assist members of the Armed Forces in obtaining United States citizenship, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Kendell Frederick Citi-
5 zenship Assistance Act”.

6 **SEC. 2. FINGERPRINTS FOR MEMBERS OF ARMED FORCES.**

7 (a) IN GENERAL.—Notwithstanding any other provi-
8 sion of law, including section 552a of title 5, United States
9 Code (commonly referred to as the “Privacy Act of
10 1974”), the Secretary of Homeland Security shall use the

1 fingerprints provided by an individual at the time the indi-
2 vidual enlisted in the Armed Forces to satisfy any require-
3 ment for fingerprints in connection with an application for
4 naturalization if—

5 (1) the individual may be naturalized pursuant
6 to section 328 or 329 of the Immigration and Na-
7 tionality Act (8 U.S.C. 1439 and 1440);

8 (2) the individual was fingerprinted in accord-
9 ance with the requirements of the Department of
10 Defense at the time the individual enlisted in the
11 Armed Forces;

12 (3) the individual submits an application for
13 naturalization not later than 24 months after the
14 date on which the individual enlisted in the Armed
15 Forces; and

16 (4) the Secretary of Homeland Security deter-
17 mines that the fingerprints are sufficient to adju-
18 dicate the applicant's naturalization application.

19 (b) MORE TIMELY AND EFFECTIVE ADJUDICA-
20 TION.—Nothing in this section precludes an individual de-
21 scribed in subsection (a) from submitting a new set of fin-
22 gerprints to the Secretary of Homeland Security. If the
23 Secretary of Homeland Security determines that submit-
24 ting a new set of fingerprints would result in more timely

1 and effective adjudication of the individual's naturaliza-
2 tion application, the Secretary shall—

3 (1) inform the individual of such determination;
4 and

5 (2) provide the individual with a description of
6 how to submit such fingerprints.

7 (c) COOPERATION.—The Secretary of Homeland Se-
8 curity, in consultation with the Secretary of Defense, shall
9 determine the format of fingerprints acceptable for usage
10 under subsection (a). The Secretary of Defense, or any
11 other official having custody of the fingerprints referred
12 to in subsection (a), shall—

13 (1) make such prints available, without charge,
14 to the Secretary of Homeland Security for the pur-
15 pose described in subsection (a); and

16 (2) otherwise cooperate with the Secretary of
17 Homeland Security to facilitate the processing of ap-
18 plications for naturalization under subsection (a).

19 **SEC. 3. PROVISION OF INFORMATION ON MILITARY NATU-**
20 **RALIZATION.**

21 (a) IN GENERAL.—Not later than 30 days after the
22 effective date of any modification to a regulation related
23 to naturalization under section 328 or 329 of the Immi-
24 gration and Nationality Act (8 U.S.C. 1439 and 1440),
25 the Secretary of Homeland Security shall make appro-

1 piate updates to the Internet sites maintained by the Sec-
2 retary to reflect such modification.

3 (b) SENSE OF CONGRESS.—It is the sense of Con-
4 gress that the Secretary of Homeland Security, not later
5 than 180 days after each effective date described in sub-
6 section (a), should make necessary updates to the appro-
7 priate application forms of the Department of Homeland
8 Security.

9 **SEC. 4. REPORTS.**

10 (a) ADJUDICATION PROCESS.—

11 (1) IN GENERAL.—Not later than 120 days
12 after the date of the enactment of this Act, the
13 Comptroller General of the United States shall sub-
14 mit a report to the appropriate congressional com-
15 mittees on the entire process for the adjudication of
16 an application for naturalization filed pursuant to
17 section 328 or 329 of the Immigration and Nation-
18 ality Act (8 U.S.C. 1439 and 1440), including the
19 process that—

20 (A) begins at the time the application is
21 mailed to, or received by, the Secretary of
22 Homeland Security, regardless of whether the
23 Secretary determines that such application is
24 complete; and

1 (B) ends on the date of the final disposi-
2 tion of such application.

3 (2) CONTENTS.—The report submitted under
4 paragraph (1) shall include a description of—

5 (A) the methods used by the Secretary of
6 Homeland Security and the Secretary of De-
7 fense to prepare, handle, and adjudicate such
8 applications;

9 (B) the effectiveness of the chain of au-
10 thority, supervision, and training of employees
11 of the Federal Government or of other entities,
12 including contract employees, who have any role
13 in such process or adjudication; and

14 (C) the ability of the Secretary of Home-
15 land Security and the Secretary of Defense to
16 use technology to facilitate or accomplish any
17 aspect of such process or adjudication.

18 (b) IMPLEMENTATION.—

19 (1) STUDY.—The Comptroller General of the
20 United States shall conduct a study on the imple-
21 mentation of this Act by the Secretary of Homeland
22 Security and the Secretary of Defense, including
23 studying any technology that may be used to im-
24 prove the efficiency of the naturalization process for
25 members of the Armed Forces.

1 (2) REPORT.—Not later than 180 days after
2 the date on which the Comptroller General submits
3 the report required under subsection (a), the Comp-
4 troller General shall submit a report to the appro-
5 priate congressional committees on the study re-
6 quired by paragraph (1) that includes recommenda-
7 tions for improving the implementation of this Act.

8 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
9 FINED.—In this section, the term “appropriate congres-
10 sional committees” means—

11 (1) the Committee on Armed Services of the
12 Senate;

13 (2) the Committee on the Judiciary of the Sen-
14 ate;

15 (3) the Committee on Armed Services of the
16 House of Representatives; and

17 (4) the Committee on the Judiciary of the
18 House of Representatives.

○